

BEFORE LINDA McCULLOCH, STATE SUPERINTENDENT OF PUBLIC INSTRUCTION,
STATE OF MONTANA

KARLA JOHNSON,)	
)	
Appellant,)	OSPI 306-06
)	
v.)	ORDER DISMISSING APPEAL
)	
BOARD OF TRUSTEES, Absarokee)	
School Districts No. 52 and 52C)	
)	
Respondent.)	

Respondent, through its attorney, Laurence R. Martin, of Felt, Martin, Frazier, Jacobs & Rapkoch, P.C. has filed a Motion of Respondent to Dismiss Appeal.

Appellant, Karla Johnson, filed an appeal in the above stated matter on May 30, 2006. The undersigned State Superintendent issued a Notice and Briefing Schedule on May 31, 2006 requiring that Appellant's initial brief be filed on or before June 30, 2006. The notice was mailed to Appellant's address as stated on the Notice of Appeal and was not returned to the State Superintendent. It is therefore presumed that Appellant received the Notice and Briefing Schedule. Appellant's brief has not been filed and more than 60 days has elapsed since the due date of the brief. Respondent's Motion to Dismiss Appeal was served on Appellant September 6, 2006. The State Superintendent has not received a response to the motion nor any other communication from Appellant in the 12 days since the date of the motion,

THEREFORE, Appellant's appeal is hereby dismissed for failure to comply with the briefing schedule.

1 DATED this 18th day of September, 2006.

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4 Linda McCulloch
Superintendent of Public Instruction

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6 **CERTIFICATE OF SERVICE**

7 THIS IS TO CERTIFY that on this 18th day of September, 2006, I caused a true and
8 exact copy of the foregoing NOTICE AND BRIEFING SCHEDULE to be mailed, postage
prepaid, to the following:

9 **KARLA JOHNSON**
10 **58 Stillwater Drive**
Absarokee MT 59001

11 **Laurence R. Martin**
12 **FELT, MARTIN, FRAZIER, JACOBS & RAPKOCH, P.C.**
13 **P O Box 2558**
Billings MT 59103-2558

14 **Joy Campbell**
15 **Stillwater County Superintendent of Schools**
Box 1139
16 **Columbus MT 59019**

17 CATHERINE K. WARHANK
Chief Legal Counsel